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Intellectual Property Administration  
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PATENT APPLICATION

ATTORNEY DOCKET NO. 200313024-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Xinliang David Li, et al.

Confirmation No.: 5436

Application No.: 10/758,376

Examiner: Kang, Insun

Filing Date: 01/15/2004

Group Art Unit: 2193

Title: PROGRAM OPTIMIZATION

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 01/03/2008, rejecting the following claims 1, 2, 4-18, and 20-35

☒ The fee for filing this Notice of Appeal is \$510.00 (37 CFR 41.20).

☐ No Additional Fee Required.

**(complete (a) or (b) as applicable)**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month  
\$120

☐ 2nd Month  
\$460

☐ 3rd Month  
\$1050

☐ 4th Month  
\$1640

☐ The extension fee has already been filed in this application

☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$ 510.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450

Date of Deposit: March 26, 2008

**OR**

☐ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

Date of facsimile:

Typed Name: James K. Okamoto

Signature: James K. Okamoto

Respectfully submitted,

Xinliang David Li, et al.

By James K. Okamoto

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